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6 **IN THE UNITED STATES DISTRICT COURT FOR THE**
7 **EASTERN DISTRICT OF CALIFORNIA**
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9 **MARIA TORRES, and MELCHOR**)
10 **TORRES, individually and as**)
11 **Administrator of the Estate of**)
12 **EVERARDO TORRES,**)

13 **Plaintiffs,**)

14 **v.**)

15 **CITY OF MADERA, MARCY**)
16 **NORIEGA, individually and as a**)
17 **member of the Madera Police**)
18 **Department, and DOES 1 through**)
19 **50, inclusive,**)

20 **Defendants.**)
21 _____)

NO. 1:02-CV-6385 AWI

ORDER VACATING
MAY 11, 2009 HEARING DATE
AND TAKING MATTER
UNDER SUBMISSION

22 Defendants' motion for summary adjudication of issues has been set for hearing in this
23 case on May 11, 2009. The court has reviewed the papers and has determined that this matter is
24 suitable for decision without oral argument. Local Rule 78-230(h). Therefore, IT IS HEREBY
25 ORDERED that the previously set hearing date of May 11, 2009, is VACATED, and the parties
26 shall not appear at that time. As of May 11, 2009, the court will take the matter under
27 submission, and will thereafter issue its decision.

28 IT IS SO ORDERED.

Dated: May 6, 2009

/s/ Anthony W. Ishii
CHIEF UNITED STATES DISTRICT JUDGE